

COMBINED DECLARATION AND POWER OF ATTORNEY  
IN PATENT APPLICATION

Attorney Docket No: BALD118418

As a below-named inventor, I hereby declare that:

my residence, post office address and citizenship are as stated below next to my name;

I believe that I am the original, first and sole inventor of the subject matter that is claimed and for which patent is sought on the invention entitled: **PRODUCT TRACKING DURING GRADING**, (check only one item below):

X was executed on 17-12-01 and is attached hereto.

\_\_\_\_\_ we authorize our attorneys of the firm of Christensen O'Connor Johnson & Kindness, 1420 Fifth Avenue, Suite 2800, Seattle, Washington 98101, to insert here in parentheses (was filed as United States application Serial No. \_\_\_\_\_, on \_\_\_\_\_) the application number and filing date of said application.

\_\_\_\_\_ was filed as United States application Serial No. \_\_\_\_\_ on \_\_\_\_\_

\_\_\_\_\_ was filed as PCT international application No. \_\_\_\_\_ on \_\_\_\_\_ and was amended under \_\_\_\_\_ on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(c) of any foreign application(s) for patent listed below and have also identified below, any foreign application for patent having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Number	Country	Day/Month/Year Filed	Priority Claimed Yes/No
509104	New Zealand	21 December 2000	Yes

-1-

BALD118418102.DOC (SOLE INVENTOR)

CHRISTENSEN  
O'CONNOR  
JOHNSON  
KINDNESS

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Seattle, WA 98101-2347  
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time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

17-12-01  
Date

  
Hamish Alexander Nigel Kennedy

BEO:DDP

Applicant: Hamish Alexander Nigel Kennedy

Attorney Docket No: BALD118418

Title: PRODUCT TRACKING DURING GRADING

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS**

**(37 C.F.R. §§ 1.9(f) AND 1.27(b)) - INDEPENDENT INVENTOR.**

As a below-named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and (b), to the Patent and Trademark Office with regard to the invention entitled PRODUCT TRACKING DURING GRADING described in

- (X) the specification filed herewith.  
( ) application Serial No. \_\_\_\_\_, filed \_\_\_\_\_  
( ) Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. § 1.9(e) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ( ) no such person, concern, or organization  
( ) persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

FULL NAME: TASTE TECHNOLOGIES LIMITED

ADDRESS 11 SPRING STREET, ONEHUNGA, AUCKLAND, NEW ZEALAND

- ( ) INDIVIDUAL  
(X) SMALL BUSINESS CONCERN  
( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate, (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

✓ 20-01-01 ✓  
Date

X Hamish K  
Hamish Alexander Nigel Kennedy

BEO:DDP

Applicant(s)/Inventor: Hamish Alexander  
Nigel Kennedy

Attorney Docket No: BALD118418

International Application No:

Int'l Application Filing Date:

U.S. Serial/Patent No:

U.S. Filing/Issue Date:

Title: PRODUCT TRACKING DURING GRADING

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 C.F.R. §§ 1.9(a) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ( ) the owner of the small business concern identified below;  
(X) an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN TASTE TECHNOLOGIES LIMITED

ADDRESS OF CONCERN 11 Spring Street, Onehunga, Auckland,  
New Zealand

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §§ 121.3-18, and reproduced in 37 C.F.R. §§ 1.9(a), for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and (b) in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled  
PRODUCT TRACKING DURING GRADING  
described in

- (X) the specification filed herewith.  
( ) application Serial No. \_\_\_\_\_, filed \_\_\_\_\_  
( ) Int'l. application No. PCT/\_\_\_\_\_, filed \_\_\_\_\_, and  
the resulting United States application filed herewith.  
( ) Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as

a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention according to their status as small entities. (37 C.F.R. § 1.27)

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

- ( ) INDIVIDUAL  
( ) SMALL BUSINESS CONCERN  
( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: HAMISH ALEXANDER NIGEL KENNEDY

TITLE OF PERSON OTHER THAN OWNER: DIRECTOR

ADDRESS OF PERSON SIGNING: 28 Rahiri Road, Mt Eden, Auckland,  
New Zealand

SIGNATURE: \_\_\_\_\_

DATE: 20-11-01